

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	Case No.: 1:11 CR 119-01
	)	
Plaintiff	)	JUDGE SOLOMON OLIVER, JR.
	)	
v.	)	
	)	
MATTHEW B. HUMPHREY	)	<b><u>ORDER ACCEPTING PLEA</u></b>
	)	<b><u>AGREEMENT, JUDGMENT AND</u></b>
	)	<b><u>REFERRAL TO U. S. PROBATION</u></b>
Defendant	)	<b><u>OFFICE</u></b>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Greg White, regarding the change of plea hearing of Matthew B. Humphrey, which was referred to the Magistrate Judge with the consent of the parties.

On March 30, 2011, the government filed a two-count Indictment, charging Defendant, Matthew B. Humphrey, with Receipt/Distribution of Visual Depictions of Minors Engaged in Sexually Explicit Conduct, in violation of Title 18 United States Code, Section 2252(a)(2); and Possession of Child Pornography, in violation of Title 18 United States Code, Section 2252A(a)(5)(B). Defendant Humphrey was arraigned on April 8, 2011, and entered a plea of not guilty to Counts 1 and 2, before Magistrate Judge Greg White. On June 8, 2011, Magistrate

Judge Greg White, received Defendant Humphrey's plea of guilty to Counts 1 and 2, of the Indictment and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Matthew B. Humphrey is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Humphrey is adjudged guilty to Counts 1 and 2 of the Indictment, in violation of Title 18 United States Code, Section 2252(a)(2) and Title 18 United States Code, Section 2252A(a)(5)(B). This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on September 7, 2011, at 10:00 a.m. in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

June 21, 2011